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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF ARIZONA**

9 IN RE: Bard IVC Filters Products Liability
10 Litigation

) **No.: 2:15-MD-0641-DGC**
)
) **PLAINTIFFS' UPDATED STATUS**
) **REPORT FOR THE SIMON**
) **NITINOL FILTER CASES**

) (Assigned to the Honorable David G.
) Campbell)

13 This document relates to:

14 *Simon Nitinol Filter Cases*

17 In accordance with the Court's direction from the telephonic conference held on July 2, 2019,
18 Docket Number 19071, Nicole Maldonado, counsel for two of the Simon Nitinol Filter ("SNF") cases
19 (*Valentine*, Case No. 17-cv-0579, and *Salmon*, Case No. 17-cv-2866), hereby submits an update to her
20 Status Report filed on July 1, 2019, regarding the SNF cases currently filed so that a determination can
21 be made on the best way to proceed on these cases, whether it be remand or proceed with the MDL.

23 Since the last Status Report, Ms. Maldonado has received several updates from plaintiffs' firms
24 that have SNF cases, as well as from the defense. To date, apart from a few firms that have not yet
25 responded, only fourteen (14) SNF cases have not settled or been part of settlement talks. Those cases
26 are outlined for the Court below. Some of those 14 may be part of settlement talks, but it is not entirely

1 clear. Nonetheless, it appears that all but 14 or so cases have settled or are in the process of settling.

2 Please see the table, below, with highlights representing updates.

Firm	Yes, settled or negotiating	No, not negotiating	Have not responded
Anapol Weiss	X		
Aylstock	X		X (has two cases)
Babbitt & Johnson	X		
Baird Brown		X (has one case) <i>Caudle</i> , Case No. cv-16-3588	
Baum Hedlund	X		
Bertram & Graf	X		
Blankenship	X		
Branch Law Firm			X (has one case) <i>Pedersen</i> , Case No. cv -17-00941
Burnett Law Firm	X		
Chaffin Luhana	X		
Comeaux	X		
Fenstersheib Law Group	X		
Fitts			X (has one case) <i>Husen</i> , Case No. cv-19-4035
Flint	X		X (has one case)
Freese & Goss	X		
Gallagher Law Firm	X		
Garland Samuel Loeb	X		

Firm	Yes, settled or negotiating	No, not negotiating	Have not responded
Gray & White			X (has one case) <i>Smith</i> , Case No. cv-16-3205 (may be negotiating)
Guajardo & Marks	X		
James Vernon Weeks		X (has one case) <i>Creech</i> , et al Case No. cv-19-2825	
Kirkendall Dwyer	X		
Marc J. Bern & Partners	X		X (has twenty nine cases)
Matthews Law Firm	X		
McDonald Worley	X		X (has six cases)
McSweeney Langevin			X (has one case) dismissed
Miller Law Firm	X		
Meyers & Flowers	X		
Murphy Law Firm	X		
Napoli Shkoldnik		X (has two cases) <i>Brown</i> , Case No. cv-18-2823 <i>Fleming</i> , Case No. cv-19-1541 (may be negotiating)	
Nemeroff Law Firm Reich & Binstock		X (has one case) <i>Stith</i> , Case No. cv-16-1849	X (has one case)
Padberg		X (has one case) <i>Yarbrough</i> Case No. cv-18-4651 (may be negotiating)	
Phelan Petty	X		

Firm	Yes, settled or negotiating	No, not negotiating	Have not responded
Plezia & Associates	X		X (has one case)
Potts Law	X		
Rosenbaum & Rosenbaum	X		
Simon Law Firm			X (has one case) <i>Brasfield</i> Case No. cv-18-1402
Sherwood McCormick & Robert			X (has one case) <i>Nichols</i> Case No. cv-19-0189 (may be negotiating)
Tautfest Bond	X		
Tor Hoerman Law	X		
Wilshire		X (has three cases) <i>Olim</i> , Case No. cv-17-3960 <i>Turner</i> , Case No. cv-17-0285 <i>Weinsheimer</i> , Case No. cv-18-0446 (may be negotiating)	

It appears that an MDL is probably unnecessary at this time due to the very low number of SNF cases that are not being negotiated. Should the Court continue to seek updates regarding the status of those SNF cases that are currently being negotiated, Ms. Maldonado is available to continue to submit updates for the Court.

RESPECTFULLY SUBMITTED this 15th day of July, 2019.

By: /s/ Nicole K.H. Maldonado

Nicole K.H. Maldonado (Admitted *pro hac vice*)
(CA Bar No. 207715)

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1 I hereby certify that on this 15th day of July, 2019, I electronically transmitted the above
2 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of
3 Electronic Filing.
4

5 /s/ Nicole K.H. Maldonado
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